

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**EDEKKA LLC,**

**Plaintiff,**

**v.**

**E REVOLUTION VENTURES, INC.,**

**Defendant.**

**CIVIL ACTION NO. 2:15-cv-585-JRG**

**LEAD CASE**

**JURY TRIAL DEMANDED**

---

**PLAINTIFF EDEKKA LLC'S RESPONSE TO 'S RULE 12(b)(6) MOTIONS TO  
DISMISS FROM ORGANIZE-IT, LLC AND JOCKEY INTERNATIONAL, INC.**

Plaintiff eDekka LLC ("eDekka") hereby requests this Court deny Organize-It LLC (Dkt. No. 41) and Jockey International, Inc.'s (Dkt. No. 44) ("Defendants") Rule 12(b)(6) Motions to Dismiss for Failure to State a Claim Upon Which Relief Can be Granted. The asserted patent, U.S. Patent No. 6,266,674 ("the '674 patent"), is not directed to an abstract idea and contains additional inventive features that appropriately limit its claims. In addition, there are relevant and material fact issues and claim construction issues that preclude the granting of a motion to dismiss on this issue.

**I. STATEMENT OF THE ISSUES**

Whether Defendants can rebut the presumption that the '674 patent is valid, by showing that every possible interpretation of the claims is directed to the abstract idea of "storing information" and contains no additional inventive limitations.

## II. ARGUMENT

The reasons for denying Defendants' motion are stated in eDekka's Response to Action Envelope & Printing Co., Inc., et al.'s Motion to Dismiss (attached as Exhibit A).<sup>1</sup> In the interest of judicial economy, eDekka hereby adopts, reiterates, and incorporates by reference, the arguments and authorities set forth in eDekka's Response and all accompanying Declarations and Exhibits. For the reasons stated therein, eDekka respectfully requests the Court deny Defendants' Motion to Dismiss.

## III. CONCLUSION

For the above reasons, eDekka requests the Court deny Defendants' Motion to Dismiss.

Dated: September 21, 2015

Respectfully submitted,

By: /s/ Austin Hansley

**AUSTIN HANSLEY P.L.L.C.**

Austin Hansley

Texas Bar No.: 24073081

Brandon LaPray

Texas Bar No.: 24087888

Benton Patterson

Texas Bar No.: 24095088

5050 Quorum Dr. Suite 700

Dallas, Texas 75254

Telephone: (469) 587-9776

Facsimile: (855) 347-6329

Email: Austin@TheTexasLawOffice.com

Email: Brandon@TheTexasLawOffice.com

Email: Benton@TheTexasLawOffice.com

www.TheTexasLawOffice.com

**ATTORNEYS FOR PLAINTIFF**

**EDEKKA LLC**

---

<sup>1</sup> The above referenced case is part of the consolidated case *eDekka, LLC v. 3Balls.com, Inc.*, 2:15-cv-541-JRG. eDekka's Response is at Dkt. No. 32.

**CERTIFICATE OF SERVICE**

I hereby certify that on September 21, 2015, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Austin Hansley  
Austin Hansley